

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
Western District of TexasUnited States of America  
v.  
Solange FERREIRA DE LAIA  
Marcio ALVES DE SENA

Case No.

3:19-MJ-8640-MAT-(1+2)

2019 SEP 26 AM 11:30  
SF

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 22, 2019 in the county of El Paso in the  
Western District of Texas, the defendant(s) violated:

Code Section

18 U.S.C 371

Offense Description

Two or more persons conspire to commit any offense against the United States, to defraud the United States, or any agency, in any manner or for any purpose.

This criminal complaint is based on these facts:

See Attached Affidavit

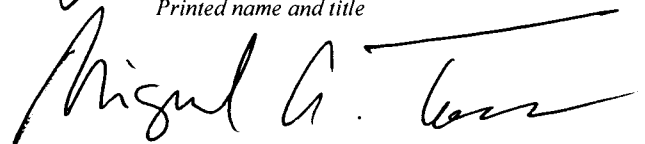
☒ Continued on the attached sheet.

Complainant's signature

Troy R. McCarter, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 09/26/2019

Miguel Torres, U.S. Magistrate Judge

Judge's signature

City and state: El Paso, Texas

Printed name and title

Affidavit

On September 22, 2019, Marcio ALVES DE SENA and Solange FERREIRA DE LAIA entered the United States from Mexico without inspection at the Rio Grande River approximately .18 miles west of the Porte Del Norte Port of Entry, in El Paso, Texas. ALVES DE SENA and FERREIRA DE LAIA falsely claimed to United States Border Patrol (USBP) agents they were traveling with their 15-year-old daughter E.V.L.D. The purported family are citizens and nationals of Brazil with no claim to United States Citizenship or legal immigration status as a Lawful Permanent Resident or otherwise.

ALVES DE SENA and FERREIRA DE LAIA were part of a large group who were encountered by USBP agents as soon as they crossed into the United States. ALVES DE SENA and FERREIRA DE LAIA initially claimed to USBP agents they were travelling with their daughter to Massachusetts and presented a passport for their alleged daughter, E.V.L.D., listing ALVES DE SENA and FERREIRE DE LAIA as her parents. ALVES DE SENA, FERREIRA DE LAIA and E.V.L.D. were processed through immigration as a family unit. During initial processing it was revealed to USBP agents by FERREIRA DE LAIA that she and ALVES DE SENA were not married. ALVES DE SENA was separated from FERREIRA DE LAIA and E.V.L.D. and further processed as a previously removed alien. FERREIRA DE LAIA and E.V.L.D. were referred to Homeland Security Investigations (HSI) Special Agents to verify the family relationship.

On September 23, 2019, HSI Special Agents verified with a document expert from the HSI Forensic Document Laboratory (FDL) on site that a Brazil National Identification card for E.V.L.D. provided with her passport had inconsistencies with known genuine Brazil National Identification cards.

On September 23, 2019, at approximately 1520 hours, HSI Special Agent (SA) Troy McCarter and Border Patrol Agent Intelligence (BPA-I), Carlos Castaneda, presented a Portuguese version of the Miranda Warnings to FERREIRA DE LAIA. Border Patrol Law Enforcement Information System Specialist (LEISS) Jorge Berbel, native Portuguese speakers, assisted with the translation and asked her if she could read in her native language, Portuguese, to which she stated she did. After reading, FERRIERA DE LAIA stated she understood her rights and agreed to speak to SA McCarter and BPA-I Castaneda without an attorney present by signing the document. FERREIRA LAIA was given a Portuguese version to read of the consequences of violating Title 18 USC 1001, Lying to a Federal Law Enforcement Agent, to which she stated she understood and signed.

At approximately 1525 hours, SA McCarter and BPA-I Castaneda asked FERRIER DE LAIA about the Brazilian passport and National Identification card presented for her alleged daughter, E.V.L.D. FERREIRA DE LAIA stated she and ALVES DE SENA knowingly and intentionally

presented the passports to obtain an immigration benefit as a family unit. FERRIERA DE LAIA stated E.V.L.D. is not related to her. FERRIERA DE LAIA stated E.V.L.D.'s ID is fraudulent and was used to obtain a Brazilian passport with false information under the name listed on the fraudulent ID. FERRIERA-DE LAIA stated her passport was real. FERRIERA-DE LAIA stated she did not get E.V.L.D. her passport, rather she signed a form provided to her and the form was used to get E.V.L.D. a passport listing her and Marcio ALVES DE SENA as the parents. FERRIERA-DE LAIA, ALVES-DE SENA, and E.V.L.D. travelled and entered the US together as family. ALVES DE SENA was separated from the group during initial processing after he was flagged as having a warrant and she stated they were not married. FERRIERA-DE LAIA stated ALVES DE-SENA knowingly and willingly participated in the scheme and also is not related to E.V.L.D. FERREIRA DE LAIA provided E.V.L.D.'s real name, E.V.L.G., Date of Birth XX/XX/2004. FERREIRA stated E.V.L.D.'s mother lives in Massachusetts and she had made the arrangements with individuals in Brazil to have E.V.L.D. brought to the United states. FERREIRA DE LAIA admitted to being previously removed in 2005 and was relying on the scheme to come back the United States.

On September 24, 2019, at approximately 0810 hours, SA McCarter and BPA Joseph Elliott presented a Portuguese version of the Miranda Warnings to Marcio ALVES DE SENA. Border Patrol LEISS Jorge Berbel, native Portuguese speakers, assisted with the translation and asked him if he could read in his native language, Portuguese, to which he stated he did. After reading, ALVES DE SENA stated he understood his rights and agreed to speak to SA McCarter and BPA Elliott without an attorney present by signing the document. ALVES DE SENA was given a Portuguese version to read of the consequences of violating Title 18 USC 1001, Lying to a Federal Law Enforcement Agent, to which he stated he understood and signed.

At approximately 0815 hours, SA McCarter and BPA Elliott asked ALVES DE SENA about the Brazilian passport and National Identification card presented for his alleged daughter, E.V.L.D. ALVES DE SENA stated he and FERREIRA DE LAIA knowingly and intentionally presented the passports to obtain an immigration benefit as a family unit. ALVES DE SENA stated E.V.L.D. is not related to him. ALVES DE SENA stated E.V.L.D.'s ID is fraudulent and was used to obtain a Brazilian passport with false information under the name listed on the fraudulent ID. ALVES DE SENA stated his passport was real. ALVES DE SENA stated he had made arrangements with individuals in Brazil to come United States and that they had made arrangements for him to meet E.V.L.D., on September 9, 2019, at a passport office in Brazil where they used a fake Brazil National Identification card to get her a genuine Brazil passport listing ALVES DE SENA and FERREIRA DE LAIA as her parents. ALVES DE SENA stated he was familiar with E.V.L.D. and her mother because they are from the same town in Brazil. FERRIERA-DE LAIA, ALVES-DE SENA, and E.V.L.D. travelled and entered the US together as family. ALVES DE SENA stated he was separated from the group during initial processing after he was flagged as having a warrant and FERREIRA DE LAIA stated they were not married. ALVES DE-SENA stated FERREIRA DE LAIA knowingly and willingly participated in the scheme and is not related to E.V.L.D. as well. ALVES DE SENA stated E.V.L.D.'s mother lives in Randolph, Massachusetts and she had made the arrangements with individuals in Brazil to have E.V.L.D. brought to the United states. ALVES DE SENA admitted to being

previously being ordered removed in 2006 and was relying on the scheme to come back the United States.

A check of immigration data bases revealed that FERREIRA DE LAIA was encountered by and placed into removal proceedings at Roma, Texas, July 10, 2005. FERREIRA was released on her own recognizance. A check of immigration data bases revealed that ALVES DE SENA was encountered by Border Patrol and placed in removal proceedings in 2003 and 2006.

Case Agent: Troy R. McCarter